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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 OFELIA TRINIDAD TOSCANO, an
Individual,

11 Plaintiff,

12 vs.

13 CARDENAS MARKETS, INC., a foreign
corporation, DOES I through X, inclusive; and
14 ROE BUSINESS ENTITIES XI through XX,
inclusive,
15

16 Defendants.

Case No.: 2:17-cv-2302

**Stipulation and Order to Extend Discovery
(First Request)**

17 The parties stipulate to extend discovery and request an amended scheduling order.

18 **I. LR 6-1 is satisfied.**

19 This is the parties' first request for extension. The parties request this extension to
20 provide additional time to gather medical records Ms. Trinidad-Toscano alleges are related to her
21 fall. Medical record authorizations were provided to Cardenas, however medical providers have
22 been slow to respond.

23 **II. LR 26-4 is satisfied**

24 Initial expert disclosures are presently due December 28. However, the slow response of
25 medical providers delays Cardenas' ability to meaningfully prepare for Plaintiff's deposition and
26 expert witness disclosures. Although this stipulation is submitted within 21 days of the deadline
27 it seeks to extend, the parties assert good cause supports the extension because this is a personal
28 injury lawsuit. Ms. Trinidad-Toscano's medical records are vital both to her claim and

Cardenas' potential defenses. The parties cannot make informed decisions about the necessity of medical experts or the potential scope of damages without the records. Meaningful settlement discussions also cannot occur without this information. It is for these reasons good cause to extend discovery exists.

Both parties have served initial Rule 26(a) disclosures and responded to written discovery. Discovery remaining to be completed includes additional written discovery, depositions of parties and witnesses, expert disclosures and more.

III. Current and proposed schedule for completing discovery.

| | Current Schedule | Proposed Schedule |
|---|-------------------------|--------------------------|
| Motions to add parties and amend pleadings | November 28, 2017 | Closed |
| Initial expert disclosures and interim status report | December 28, 2017 | February 28, 2018 |
| Rebuttal expert disclosures | January 26, 2018 | March 30, 2018 |
| Close of Discovery | February 26, 2018 | April 27, 2018 |
| Dispositive motions | March 28, 2018 | May 29, 2018 |
| Pre-Trial Order | April 27, 2018 | June 29, 2018 |

DATED this 20th day of December, 2017.

WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP

/s/ Michael P. Lowry
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DATED this 20th day of December, 2017.

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IT IS SO ORDERED.


UNITED STATES MAGISTRATE JUDGE

DATED: December 22, 2017

CERTIFICATE OF SERVICE

Pursuant to FRCP 5, I certify that I am an employee of Wilson Elser Moskowitz Edelman & Dicker LLP, and that on December 20, 2017, I served the **Stipulation and Order to Extend Discovery (First Request)** via electronic means by operation of the Court's electronic filing system, upon each party in this case who is registered as an electronic case filing user with the Clerk.

BY: /s/ Michael P. Lowry
An Employee of WILSON ELSEER MOSKOWITZ
EDELMAN & DICKER LLP